

1. As I recall, you will check on where the Health Study sits at present. As I said, I am particularly interested in the communications subcommittee. I am of course also interested in having environmental justice considerations be an integral part of the study.

I learned yesterday after our meeting that the Health Study group (not the communications subcommittee) met last week. Joe Griffin was present representing CTEC. From what I gathered, a final roster for the communications subcommittee has not yet been selected. The group is aware of your interest in participating and your environmental justice considerations. I am not sure what is the timeline moving forward.

2. You will check and clarify exactly what is the agency position on including the Flats in the Westside Priority Soils Operable Unit. In today's Montana Standard I have a guest editorial on Westside Soils that you might want to read.

West Side Soils Operable Unit is located generally north and west of the Butte Hill. I've included two attachments from the Butte Priority Soils Operable Unit (BPSOU) ROD with general OU descriptions and figures that show the general area of West Side Soils Operable Unit. As you will see, the specific boundary for Westside Soils has not been determined. Superfund site boundaries are based on the presence of contamination. The nature and extent of contamination will be characterized by the remedial investigation (RI), scheduled for next year. The general area of Westside Soils showed elevated concentrations of lead based on soils data collected from 1987 to 2017. That data will be used to help scope the RI and develop the RI workplan that will identify what areas will be sampled.

The residential soils data showed that nearly all of the samples in the area of the Butte "flats" were below BPSOU residential cleanup levels for lead and arsenic. Because of this, and that there are no significant historic mining and mineral processing waste sources identified in the "flats," it was not included as part of the BPSOU. EPA has reviewed soil sampling data in the "flats" area (east of Lexington) and is continuing to review attic dust data as part of the initial scoping of the RI workplan for West Side Soils. EPA will continue to address data gaps and consider additional expansion of the RMAP in the "flats". If any information comes to light that indicates that there is contamination that is potentially hazardous to human health in the area, EPA will take action to address it. Furthermore, the existing residential metals abatement program (RMAP) is in place and can address residential human health risks if they are identified outside of the BPSOU.

3. Am I correct in my understanding that a consent decree cannot in and of itself change a ROD. My understanding is that a consent decree is concerned with formalizing and reaching agreement on how to implement the ROD decision, i.e. citizens should not look for the consent decree to change the ROD. Am I correct in these assumptions?

Yes, a Consent Decree is an agreement of how to implement the ROD. If there are proposed changes to the BPSOU ROD there would be opportunity for public input before a CD is signed.

4. As I mentioned yesterday, several years back Henry gave a presentation in Butte on the advantages of reaching a consent decree as compared to a UAO. I can't find my notes on what he said. Could you perhaps ask him to summarize the advantages of a consent decree Vis a Vis a UAO.

Henry has been out of the office on leave for the past several days and I expect that he will not return until after the holidays. I will share your request with him when he returns to get that feedback.

5. I will start contacting clubs in Butte for speaking engagements. I assume that you don't have to get approval in order to speak to say--the Kiwanis Club. .

Correct, I am open to engaging service clubs and groups. On that note, I did talk with Kriss Douglass at the CTEC meeting last night about the possibility of talking with the Big Butte Kiwanis. She seemed agreeable and mentioned that a Wednesday in March may be good. Hopefully you can get some additional leads as you reach out to other groups.

6. Let us plan to do another brochure distribution right after Jan. 1. Please let me know your schedule.

I am available in the afternoon on the Tuesday, Jan 2 or any time between 10 am and 3 pm on Thursday Jan 4. After than I will be taking leave until Jan 22.